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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SHINGLES, KRISTIE D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,925

Applicant(s)

LEVENBERG, RICHARD MARK

Examiner

Kristie Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

*Per Applicant's Request for Continued Examination: Response to Amendments
Claims 1, 3, 9, 13 and 18 have been amended.*

Claims 1-21 are pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/16/2006 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1, 9 and 18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-6, 8-10, 13-15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bhagwat et al* (6,563,517) in view of *Fitzsimons et al* (2003/0034991).

a. **Per claim 1**, *Bhagwat et al* teach a method for transcoding web-page content for a limited-display computing device comprising the steps of:

- a) upon receiving a web page request from a limited-display computing device, sending the web page request to a server computer that contains the requested web page document (col.2 line 47-col.3 line 22, col.5 lines 12-23, col.13 lines 28-58);
- b) receiving from said server computer a web page document that can be used to generate a display (col.2 line 47-col.3 line 22, col.5 lines 30-50);
- c) searching said web page document for sequences of textual references to images (col.5 lines 24-29, col.5 line 47-col.6 line 4);
- d) when said web page document includes more than one textual references to images, rendering each of the images represented by said textual references to generate a composite image (col.6 lines 19-65, col.7 lines 1-62 col.12 line 13-col.13 line 10—webpage includes references for images);
- e) scaling each composite image rendered in step d) to meet the display requirements of said limited-display computing device (col.3 lines 39-50, col.5 lines 19-59, col.6 lines 26-65, col.7 lines 24-41—provision for scaling images to meet the display requirements and capabilities of the client device); and
- f) sending each composite image scaled in step e) to said limited-display computing device (col.4 lines 55-67, col.5 lines 12-23—sending scaled images to limited-display client devices).

Although *Bhagwat et al* teach transcoding policies for streaming images and image segments based on the capabilities of the requesting client device, wherein an image transcoder waits to accumulate an entire input image before transcoding (col.7 lines 15-24 and 57-62, col.12 line 13-col.13 line 10); yet *Bhagwat et al* fail to explicitly teach that the images are directly adjoining so as to generate a composite image. However, *Fitzsimons et al* teach encoding

and retrieving composite images of a webpage, wherein the composite image file is transferred as a shell with references to the source files for rendering the complete original image (page 3 paragraphs 0053-0063, page 4 paragraph 0065-0066). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Bhagwat et al* and *Fitzsimons et al* for the purpose of transcoding directly-adjointing images from a webpage so as to generate a transcoded composite image; because this allows for transcoding of all of the image segments in order to properly render the composite image on the limited-display device.

b. **Per claim 2**, *Bhagwat et al* and *Fitzsimons et al* teach the method of Claim 1, *Bhagwat et al* further teach wherein said web page document is written in a Hypertext Markup Language (HTML) (col.1 lines 52-58, col.3 lines 9-13, col.4 lines 60-63).

c. **Per claim 4**, *Bhagwat et al* and *Fitzsimons et al* teach the method of Claim 1, *Fitzsimons et al* further teach wherein step d) further comprises: d1) when said web page document includes a formatting object that includes a plurality of textual references to images, rendering each of the images represented by a textual references to an image that is disposed in said formatting object so as to generate a composite image (page 3 paragraphs 0053-0063, page 4 paragraph 0065-0066; *Bhagwat et al*: col.5 lines 47-48).

d. **Claims 9 and 18** contain limitations substantially equivalent to the limitations of claims 1 and 4, and therefore are rejected under the same basis.

e. **Claims 10 and 19** contain limitations substantially similar to the limitations of claim 2, and therefore are rejected under the same basis.

f. **Per claim 5**, *Bhagwat et al* and *Fitzsimons et al* teach the method as recited in Claim 1, *Bhagwat et al* further teach wherein step e) further includes reducing the bit depth of said composite image to meet the display requirements of said limited-display computing device (col.5 lines 45-50 and 57-62, col.6 lines 39-65, col.7 lines 1-41).

g. **Claim 14** contains limitations substantially similar to the limitations of claim 5, and therefore is rejected under the same basis.

h. **Per claim 6**, *Bhagwat et al* and *Fitzsimons et al* teach the method as recited in Claim 1, *Bhagwat et al* further teach wherein said images rendered in step d) are rendered to an image size corresponding to the image size of a full-size display screen (col.5 lines 19-23 and 39-50, col.6 lines 29-65, col.12 lines 2-6).

i. **Claim 15** contains limitations substantially similar to the limitations of claim 6, and therefore is rejected under the same basis.

j. **Per claims 8**, *Bhagwat et al* and *Fitzsimons et al* teach the method as described in Claim 1, *Bhagwat et al* further teach wherein said limited-display computing device is selected from the group consisting of handheld computing device, a mobile phone, a pager, and an Internet appliance (col.1 lines 43-45, col.2 lines 62-67).

k. **Claim 17** contains limitations substantially similar to the limitations of claim 8, and therefore is rejected under the same basis.

l. **Per claim 13**, *Bhagwat et al* and *Fitzsimons et al* teach the method of claim 9 wherein step d) further comprises: *Fitzsimons et al* further teach d1) when said web page document includes a sequence of textual references to images that are directly adjoining, rendering each of the images represented by said textual references that are directly adjoining so

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as to generate a composite image (page 3 paragraphs 0053-0063, page 4 paragraph 0065-0066; *Bhagwat et al*: col.7 lines 15-24 and 57-62, col.12 line 13-col.13 line 10).

4. **Claims 3, 11 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bhagwat et al* (6,563,517) in view of *Fitzsimons et al* (2003/0034991) and *Hawkins* (US 2001/0032254).

a. **Per claim 3**, *Bhagwat et al* with *Fitzsimons et al* teach the limitation of claim 2 as applied above, but fail to teach the method of claim 2 wherein said more than one textual references to images are directly adjoining vertically. However, *Hawkins* teaches vertical alignment and adjoining of images referenced by text (TagImage Table pg. 22, INPUT Table pg.26, IMG Table pg.29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Bhagwat et al* and *Fitzsimons et al* with *Hawkins* to adjoin text references vertically for the purpose of providing optional arrangement or organization and for support of various alignment of webpage images. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

b. **Per claims 11 and 20**, *Bhagwat et al* with *Fitzsimons et al* teach the limitations claims 10 and 19 as applied above, but fails to teach the method of claims 10 and 19 wherein said formatting object is a table. However, *Hawkins* teaches the use of a table (paragraph 0115 and TagTable pg.20-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the systems of *Bhagwat et al* and *Fitzsimons et al* with *Hawkins* in order to provide for the conversion processing, scaling, and rendering of formatting objects such as tables, for the purpose of extending the method's capabilities to other types of

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formats supported by web pages and not just text only. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

5. **Claims 7, 12, 16 and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bhagwat et al* (6,563,517) in view of *Fitzsimons et al* (2003/0034991) and further in view of *Robotham et al* (US 6,704,024).

a. **Per claim 7**, *Bhagwat et al* with *Fitzsimons et al* teach the limitations of claim 6 as applied above, *Bhagwat et al* teach applying the transcoding policies to text of a webpage (col.6 lines 19-20) but fail to explicitly teach the method as recited in Claim 6 wherein all of said web page document except said images rendered in step d) are transcoded using a normal transcoding process and are sent in step f) to said limited-display computing device. However, *Robotham et al* teach using a transcoding process as applied only to text (col.5 lines 1-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Bhagwat et al* and *Fitzsimons et al* with *Robotham et al* to transcode web content except for images for the purpose of using other alternative encoding rules that are more efficient for encoding images or transcoding only specific types of web content.

b. **Claim 16** contains limitations substantially similar to the limitations of claim 7, and is therefore rejected under the same basis.

c. **Per claim 12**, *Bhagwat et al* and *Fitzsimons et al* teach the limitations of claim 10 as applied above, but fail to teach the method of Claim 10 wherein said formatting object is a frame. However, *Robotham et al* teach making use of a frame and implementing a frame-buffer (col.9 lines 4-16 and col.19 lines 37-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Bhagwat et al* and *Fitzsimons et al* with *Robotham et al* to provide for the conversion processing, scaling, and

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formatting objects such as frames, for the purpose of extending the method's capabilities to other types of formats supported by web pages and not just text only.

d. **Claim 21** has limitations substantially similar to the limitations of claim 12, and is therefore rejected under the same basis.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kikinis (6,553,410), Fields et al (6,539,420), Li et al (6,345,279), Rempell (6,546,397), Mitchell et al (6,983,331), Britton et al (6,535,896), Camut et al (6,684,257), Adams et al (6,457,030).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
kds


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